

Notice of Allowability

Application No.

10/671,898

Examiner

Robert J. Canfield

Applicant(s)

SHELTON, DAVID R.

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/24/07 telephonic interview.
2. ☒ The allowed claim(s) is/are 1,4-6,8,11,12,14,18,19,21 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 3635

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Kelley on 10/24/07.

The application has been amended as follows:

CLAIM 1

Line 5, insert - - vertically extending side of - - before "the wooden member".

Cancel **CLAIM 2**.

Cancel **CLAIM 3**.

Rejoin **CLAIM 4** and change the dependency at line 1 from "3" to - - 1 - -.

Cancel **CLAIM 7**.

CLAIM 8

Line 7, replace "the wooden member" with - - vertically extending sides of the wooden member support - - .

Cancel **CLAIM 9.**

Cancel **CLAIM 10.**

Cancel **CLAIM 13.**

CLAIM 14

Line 7, replace "the wooden member" with - - vertically extending sides of the wooden member support - -,

Last line, after "the wooden member support." insert - - ; wherein the selecting step includes the step of choosing a shim having a component for maintaining contact between the wooden member and the base as the wooden member moves, from one of a flexible and compressible material and a spring. - -

Cancel **CLAIM 15.**

Cancel **CLAIM 16.**

Cancel **CLAIM 17.**

Art Unit: 3635

CLAIM 19

The process of claim 14, including the step of securing the shim to the wooden member with a spring connected to the shim.

Cancel **CLAIM 20**.

Rejoin **CLAIM 21**.

CLAIM 22

Lines 8-9, replace "the wooden member" with - - vertically extending sides of the wooden member support - -,

Line 17, delete "from the group consisting of a deformable knife tab, an aperture for a fastener, a flexible and compressible material, a spring, and a one-way ratchet mechanism" and replace with - - from one of a flexible and compressible material and a spring. - -

Cancel **CLAIM 23**.

2. Claims 1, 4-6, 8, 11, 12, 14, 18, 19, 21 and 22 are allowed.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

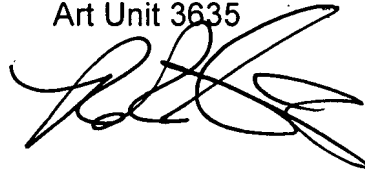
Art Unit: 3635

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Canfield whose telephone number is 571-272-6840. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rich Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert J Canfield
Primary Examiner
Art Unit 3635



10/25/07